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MAR 22 2018

GENERAL ORDINANCE NO. 3, 2018

AN ORDINANCE AMENDING *TERRE HAUTE CITY CODE* CHAPTER 7,
ARTICLE 3. FIRE PREVENTION CODE, SECTION 7-102.1 FIRE AND LIFE SAFETY
INSPECTIONS.

WHEREAS, pursuant to *Indiana Code* § 36-8-2-3, the City of Terre Haute may establish, maintain, and operate a fire prevention system; and,

WHEREAS, pursuant to *Indiana Code* § 36-8-17-8 (b) the fire department shall conduct inspections within the jurisdiction of the City for compliance with the fire safety laws; and,

WHEREAS, the City of Terre Haute wishes to promote the health, safety, and wellbeing of its citizens through enforcement of the Fire Prevention Code; and,

WHEREAS, the Common Council of the City of Terre Haute finds it necessary from time to time to amend the *Terre Haute City Code* in order to promote the health, safety, and wellbeing of the citizens of Terre Haute.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

SECTION 1. *Terre Haute City Code* Chapter 7, Article 3, Section 7-102.1 is hereby amended with the addition of the underlined text as follows:

...

Sec. 7-102.1 Fire and Life Safety Inspections.

The Fire Chief, or his designee, shall conduct fire and life safety inspections in Class 1 structures pursuant to *I.C.* 36-8-17-8, with the exception that all Class 1 structures defined as R-2 "Apartment Houses" in the most recently adopted version of the Indiana Fire Code by the State of Indiana, consisting of fewer than ten (10) dwelling units, shall be exempt from annual fire inspections. The Fire Chief, or his designee, shall inspect Class 1 structures as often as necessary for the purpose of ascertaining and causing to be corrected any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the Commission. A re-inspection may be necessary to confirm compliance with a Notice of Violation or an order issued by the Fire Chief, or his designee. However, no non-exempt Class 1 structure may be inspected more than twice in a calendar year other than for the purpose of ascertaining the abatement of a previously determined deficiency except that in an inspection of any Class 1 structure may occur upon the request of an owner or occupier of the Class 1 structure or upon any complaint received by the City. In the event an exempt Class 1 structure is inspected at the request of an owner, annual inspection fees shall be assessed in accordance with Section 7-105(b).

...


SECTION 2. The illegality or invalidity, for any reason, of any of the sections of this ordinance, or parts thereof, shall invalidate only such section or sections as are so determined to be illegal or invalid, any such invalidity shall have no effect on the remaining sections of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and, upon approval of the Indiana Department of Homeland Security Fire Prevention and Building Safety Commission, if required, and upon publication as required by law.

Introduced by:  Karrum Nasser, Councilman

Passed in open Council this 12th day of April, 2018.

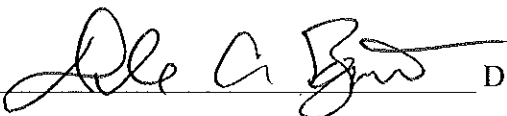
 Curtis DeBaun IV, President

ATTEST: Michelle L Edwards Michelle L Edwards, City Clerk

Presented by me to the Mayor this 13th day of April, 2018.

Michelle L Edwards Michelle L Edwards, City Clerk

Approved by me, the Mayor, this 13th day of April, 2018.

 Duke A. Bennett, Mayor

ATTEST: Michelle L Edwards Michelle L Edwards, City Clerk